

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MIKE KREIDLER,

Plaintiff,

v.

DANNY L. PIXLER, *et al.*,

Defendants.

Case No. C06-0697RSL

ORDER REGARDING
FEE AWARD

On October 17, 2007, the Court granted in part and denied in part plaintiff's motion to compel defendants to produce various financial, corporate, and accounting documents from the corporate and the individual defendants. The Court required plaintiff to file a statement of his reasonable fees and costs incurred in filing the motion and awarded plaintiff half of those fees. Plaintiff's counsel subsequently filed the statement. Although the Court invited defendants to file a response, they did not do so.

In Washington, the "lodestar" method is the starting point for fee calculations. The lodestar fee is determined by multiplying the hours reasonably expended in the litigation by each lawyer's reasonable hourly rate of compensation. Bowers v. Transamerica Tile Ins. Co., 100 Wn.2d 581, 597 (1983). The burden of demonstrating

1 that a fee is reasonable is on the fee applicant, who must provide documentation
2 sufficient "to inform the court, in addition to the number of hours worked, of the type of
3 work performed and the category of attorney who performed the work." Scott Fetzer Co.
4 v. Weeks, 122 Wn.2d 141, 149, 151 (1993) (internal citation and quotation omitted).

5 After reviewing the statement and supporting documents, the Court finds that
6 counsel's hourly rates are reasonable. Furthermore, the total number of hours expended,
7 while high, is not unreasonable given defendants' opposition and the complicated nature
8 of the legal and factual issues. However, plaintiff is not entitled to recover the fees
9 expended prior to and through the Rule 37 conference. Therefore, the Court will
10 disallow fees for the August 13-15 work. After subtracting those amounts, the total
11 amount of allowable fees is \$10,377. The Court previously awarded plaintiff half of the
12 amount of fees expended. Accordingly, plaintiff is entitled to recover its reasonable
13 attorney's fees in the amount of \$5,188.50. Defendants are jointly and severally liable
14 for paying the fees, and must do so within thirty days of the date of this order.

15
16 DATED this 16th day of November, 2007.

17
18 

19 Robert S. Lasnik
20 United States District Judge
21
22
23
24
25